

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=21

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|---------------------------------|---|------------------|
| In re Application of: |) | Conf. No.: 8997 |
| |) | |
| David WALLACH |) | Art Unit: 1635 |
| |) | |
| Appln. No.: 09/155,676 |) | Examiner: |
| |) | |
| Filed: January 4, 1999 |) | Washington, D.C. |
| |) | |
| For: MODULATORS OF TNF RECEPTOR |) | March 21, 2007 |
| ASSOCIATED FACTOR (TRAF), THEIR |) | |
| PREPARATION AND USE |) | |

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated September 21, 2006, of the Primary Examiner. The claims appealed are claims 13-16, 20-22, 43, 44, 49, 54, 55, 59, 60 and 69.

The item(s) checked below are appropriate:

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

☒ The fee has been calculated as shown below:

☐ \$500.00

☐ \$250.00 (small entity)

☒ Not required (fee paid in prior appeal)

☒ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 60.00

[] Second - \$225.00

[] Third - \$510.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 120.00

[] Second - \$ 450.00

☒ Third - \$1020.00

month after time period set

☒ Less fees (\$1020.00) already paid for 3 months extension of time on even date herewith with amendment.

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ ____.

☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: /rlb/

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